

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Metro Commons v Roderick Peterson**
Docket No. 268133
L.C. No. 05-530616-AV

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The delayed application for leave to appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court provided notice regarding the nature of the defect in this filing, and the defect was not corrected in a timely manner by providing this Court with a brief conforming to MCR 7.212(C) and proof of service of that brief to the appellee. Dismissal is without prejudice to whatever other relief may be available consistent with the Court Rules.

In light of the above, the motion to dismiss is DISMISSED.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUN 20 2006

Date

Sandra Schultz Mengel
Chief Clerk